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HIGGINBOTHAM FAMILY OF VIRGINIA

BY WILLIAM MONTGOMERY SWEENEY, Astoria, Long Island, New York

(Continued)

Aaron Higginbotham, (son of John and Frances [Riley] Higginbotham), died in Amherst County, in 1785. Will proved October 3, 1785. (Will Book 2, p. 254.)

To son, Samuel, 262 acres of land "adjoining the land whereon I now live," also "one other tract adjoining Philip Walker's line"; negroes, woman Judith, girl Kate, boy George, and one half "my Carpenters and Coopers Tooles." To daughter Frances[14] [Green], negro woman Milley, "with *all her increase after the said Frances' decease* to be equally divided among all her children lawfully begotten upon her body." To daughter, Mary Ann, one negro woman, Malinda, "with all her increase, etc." To son, Aaron[15] "after my and my wife's decease," the Tract of land whereon I now live also one other tract whereon my daughter Mary Ann now lives which goes by the name of the Cove and I do order that the said Mary Ann be not molested or disturbed in the quiet and peaceable possession of the same as long as she thinks fit to live thereon but the sd Mary Ann shall not have liberty to let or rent out any part or parcell of the said tract but if the said Mary Ann shall remove to any other Plantation then the ——— Aaron shall have right to take immediate possession; also one other Tract lying between the Cove and Giles's; also one Negro Man Tom, one negro boy, David, one Negro Girl Jane with all her increase likewise all my Smiths and Joiners Tooles with the other half of my Carpenters and Coopers Tools." To daughter, Margaret, one Negro Girl Hannah, "with all her increase, etc"; also "one mare of three years old with a bridle and saddle." Lends to wife, Clara [Green?] Higginbotham, the remainder of

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[14] Married Joseph Higginbotham Morrison, (died in Amherst County, 1802,) and died in Elbert County, Georgia, 179—.

[15] There is a M. L. B. of record dated December 4, 1775, the contracting parties being "Aaron Higginbotham & Sally Croxton," but either this marriage did not take place, and Aaron married Nancy Croxton, or else he married secondly, Nancy Croxton, as we find from court records and other sources, that in 1794 his widow was Nancy (Croxton) Higginbotham. See appraisement of the estate of "Capt. Aaron Higginbotham [Jr.] deceased"; (Will Book 3, p. 335. See also pp. 326 and 375.)

his estate during her natural life or widowhood; at her death all testator's negro property, "except as before mentioned," to be equally divided amongst his four daughters and their children, viz: Frances, Mary Ann, Tamasin and Margaret, — should any of the above mentioned children die without lawful issue, then such child's share to be equally divided among the surviving children, except the land, "which I desire should go to the heirs at law." He excepts from the above bequest to his four daughters, "the wagon and harness, which I give to my two sons, Samuel and Aaron (and except two cows and two calves, two ewes and two lambs, two sows and two pigs which I give to my daughter Margaret.") Dated September 19, 1772. Executors, "my brother James and my two sons, Samuel and Aaron." Witnesses, Carles Burrus, Richard Oglesby, Richard Whitehall. Executors' bond, £5,000. Securities, Samuel Meredith and Joseph Penn.

Appraisement of personal estate of testator, returned 6 February, 1786, £1,236. 1d. including 15 negro slaves valued at £950.

A division of the slave property of Aaron Higginbotham, Sr., was made in 1798, of which the following is of record:

"Agreeable to an order of the worshipful Court of Amherst County we the Subscribers have proceeded to divide the Slaves of Aaron Higginbotham deceased amongst the legatees mentioned in the said Decedents Will in the following manner Viz.

To Joseph H. Morrison who intermarried with Frances Higginbotham the following slaves Viz.

Cupit	£ 80	
Sena, Matilda and Pleasant	95	
Joshua	30	
	205	
To pay Henry Franklins Legatees	5	200
To Henry Franklins Legatees who are children of Maryann[16] Daughter of the said Aaron Higginbotham decd. the following Slaves Viz.		
Amey & her two children David & George	105	
Adam	90	
And to receive from Jos. H. Morrison	5	200

To William Sandidge who intermarried with Tamsin daughter of the sd. Decedent the following Slaves Viz.

Eve	70	
Rachel	65	
Joice	65	200

[16] Married (2nd,) Benjamin Arnold, of Amherst County.

To Thomas Morrison who intermarried with Peggy daughter of the sd. Decedent the following Slaves Viz.

Jinkins	100	
Winney	40	
Fanney	60	200

Nelson Crawford
C. W. Taliaferro Jun.
Jno. Taliaferro

Returned into Amherst County Court the 19th of June 1798, and ordered to be recorded. Teste: W. S. Crawford, Ck. (Will Book 3, p. 470.)

The following deeds are of record in the name of *Aaron Higginbotham Sr.*,: —

May 6, 1751. Moses Higginbotham, of St. Ann's Parish, County of Albemarle to Aaron Higginbotham, of the same parish and county. Conveys 204 acres of land, "now in the possession of Aaron Higginbotham, situated on the branches of Buffalo River, County of Albemarle, being part of a tract of 1,430 acres lying and being in the same Parish and County, late part of the County of Goochland, conveyed to Moses Higginbotham by George Braxton, the younger, of the County of King & Queen, by deeds of lease and release, dated April 23 and 24, 1745, which were duly acknowledged in the General Court and recorded according to law."

Consideration 5 shillings. Witnesses, Joseph Higginbotham, John Higginbotham, William Morrison. (Albemarle County Deed Book 1, p. 295.)

February 8, 1759. James Smith to Aaron Higginbotham, both of the County of Albemarle. Conveys 200 acres of land "where the said Aaron Higginbotham now lives on both sides of Buffalo River, near the Blue Mountains." Consideration £100. (Ibid., Deed Book 2, p. 91.)

September 6, 1762. Aaron Higginbotham and Clary, his wife, to William Cabell and Cornelius Thomas, Churchwardens. Conveys 204 acres of land on "Higginbotham's old Mill Creek being part of a tract formerly granted to Colonel George Braxton, late of the County of King & Queen, and by him conveyed to Moses Higginbotham and by him conveyed to the said Aaron Higginbotham." Consideration £120.[17] (Amherst County

[17] "In September, 1762, William Cabell, Jr., and Cornelius Thomas, Churchwardens, purchased from Aaron Higginbotham, 204 acres of land at £120." *The Cabells and Their Kin,* p. 80.

Deed Book A, p. 57.)

October 3, 1768. Neill Campbell of the County of Albemarle, to Aaron Higginbotham of the County of Amherst. Conveys 390 acres of land on Thresher's Creek, Amherst County. Consideration £110. (Ibid., Deed Book B, p. 378.)

October 3, 1774. Aaron Higginbotham to Jacob Tyree. Conveys 400 acres of land on both sides and joining the North side of Buffalo River and on the North side of the Fluvanna River. Consideration £200. (Ibid., Deed Book D, p. 186.)

May 1, 1777. Aaron Higginbotham, Sr., to Samuel Higginbotham. Conveys 300 acres of land on both sides of Buffalo River. Consideration love, good will and affection towards his son, Samuel Higginbotham. (Ibid., Deed Book D, p. 514.)

May 1, 1717. Aaron Higginbotham, Sr., to Aaron Higginbotham, Jr. Conveys 300 acres of land on Thresher's Creek, Amherst Co., the same land Aaron Higginbotham, Sr., bought of Neill Campbell. Consideration love, good will and affection towards his son, Aaron Higginbotham, Jr.

(Ibid., Deed Book D, p. 515.)

December 5, 1778. Thomas, Gilbert and James Cottrell to Aaron Higginbotham, Sr. Conveys 300 acres of land on Stone House Creek. Consideration £425. (Ibid., Deed Book E, p. 145.)

October 3, 1768. Aaron Higginbotham and Clara, his wife, of Amherst County, to Neill Campbell, of Albemarle County. Conveys three parcels of land totalling 489 acres, on Buffalo River Amherst County: 1st, or upper tract, consists of 109 acres, and was conveyed by a Patent in the said Higginbotham's name, bearing date at Williamsburg, August 30, 1763; 2nd, or middle tract, consists of 200 acres, and one conveyed by a Patent in the said Higginbotham's name, bearing date at Williamsburg, March 3, 1760; 3rd, or lower tract, consists of 99 acres, and was conveyed by a Patent in the said Higginbotham's name, bearing date at Williamsburg, July 26, 1765. Consideration £150. (Ibid., Deed Book B, p. 378.)

The following deeds are of record in Amherst County in the name of *Samuel Higginbotham, son of Aaron and Clara (Green?) Higginbotham:*

February 5, 1787. Benjamin Arnold and wife, Mary Ann, to Samuel Higginbotham and Henry Franklin. Conveys two slaves and personalty. Consideration £40 & two negroes. (Deed Book F., p. 124.)

November 5, 1791. Samuel Higginbotham and Jane, his wife, to Philip Smith and Zacharias Taliaferro, all of Amherst County. Conveys 300 acres of land on Buffalo River, granted to Aaron Higginbotham by a

Patent dated December 15, 1749, and conveyed by a deed dated May 5, 1777, to Samuel Higginbotham. Consideration £450. (Deed Book 9, p. 74.)

December 5, 1791, Samuel Higginbotham and Jane, his wife, to Jacob Phillips, all of the County of Amherst. Conveys two tracts of land on Buffalo River, one of 200 acres, granted by a Patent dated April 10, 1781, to Aaron Higginbotham, and by him willed to the said Samuel Higginbotham; another tract consisting of 140 acres of land, situated on the side of Cold Mountain, and on the south branches of Buffalo River, granted by a Patent to Samuel Higginbotham, dated April 10, 1781. Consideration £20. (Deed Book 9, p. 77.)

September 17, 1792. Samuel Higginbotham to Aaron Higginbotham Jr., both of the County of Amherst. Conveys three tracts of land on both sides of Buffalo River, Amherst County. Consideration £100. (Deed Book G, p. 154.)

The following references to *Samuel Higginbotham* are taken from the Order Books, of Amherst County Court: —

Samuel Higginbotham appointed to collect taxes in Lexington Parish, Amherst County. August Court, 1782. Order Book, p. 7.

Samuel Higginbotham took the oath as a Deputy Sheriff of Amherst County. December Court, 1782. Id., p. 69. Samuel Higginbotham, Deputy Sheriff, returns list of insolvents for taxes, 1782. October Court, 1783. Id., p. 102. Francis Satterwhite of Amherst County, appoints Samuel Higginbotham his attorney. March Court, 1785. Book E, p. 611. Samuel Higginbotham appointed a Deputy Sheriff of Amherst County. May Court, 1786. Order Book, p. 492.

Samuel Higginbotham and John Higginbotham, appointed Deputy Sheriffs of Amherst County. April Court, 1787. Id., p. 676.

Samuel Higginbotham served in the War of the Revolution as a captain of Amherst County Militia.[17a] The following reference to him is to be found in *The Cabell and Their Kin,*" page 150:

"On October 2, 1776, Captain Nicholas Cabell delivered to Captain Samuel Higginbotham for Captain Sale, on Major James Franklin's order, 7 pots and 1 kettle, 6 rugs, 1 tent, 22 rifles, and 8 shot guns, which his company of minute men had when in the service."

[17a] He was Colonel of Amherst militia in 1787; see Order Book 1787-90, p. 117.

There is also an entry in the Auditor's Accounts, in the Virginia State Library, of a warrant issued to him, May 21, 1784, for £16-2-8 for services in the war. (*Aud. Acc.* XVIII., 694.)

Samuel Higginbotham and his uncle, (Colonel) James Higginbotham, are mentioned as Vestrymen of Christ Church, Lexington Parish, Amherst County, in the year 1779[18]

It is not known how many children Samuel Higginbotham and Jane, his wife, had. The census of 1783 shows that at that date his family consisted of 10 whites, probably himself and wife and eight children. The names of but two of his children are known: John, who married in 1792, Anne Staunton Higginbotham,[19] daughter of Captain John and Rachel (Banks) Higginbotham, and Joseph Higginbotham.

Samuel Higginbotham is supposed to have removed to Georgia, but it is not definitely known when or where he settled.

Benjamin Higginbotham, Sr., (son of John and Frances [Riley] Higginbotham,) died in Elbert County, Georgia, in 1800. Will proved ————, 1800.

In his will he mentions the following of his family:

Wife, Elizabeth (Reid) Higginbotham.
Daughter, Ann Higginbotham.
Sons:
Caleb,[19a] who married Mary Ann ———,
William, who married a daughter of John Sandidge, of Amherst County. On February 29, 1829, while a resident of Hannonville, Perry County, Tennessee, William Higginbotham applied for a pension, which was allowed. In his application he stated that he enlisted "In the Contiental line of the Army of the Revolution, for and during the War, and continued in the service until its termination at which period I was a Sergeant in Captain Mabon's Company in the Second Virginia Continental regiment of the Line, I also declare that I afterwards received a certificate for the reward of eighty Dollars: to which I was entitled under

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[18] Meade's: *"Old Churches and Families of Virginia,"* Vol. 2, p. 58.

[19] M. L. B. December 17, 1792.

[19a] He appears to have served in the Revolution as captain of Amherst (?) County militia. See application of Philip Smith for a pension, Oct. 27, 1832; "R. File 9, 830," Bureau of Pensions, Washington, D. C.

a resolve of Congress passed the 15th of May, 1778 — and I further declare that I was not on the 15th day of March, 1828, on the pension list of the United States."

Accompanying his application were the following certificates and other documents: —

"This is to certify that William Higginbotham served in the Continental Army as a Sergeant and soldier from the beginning of the war to the end, during which time he acquitted himself with the highest Honor and his character as a private citizen stands in the highest point of view by all those who are acquainted with Him.

Given under my hand this 7th day of Augt 1786.

Sam. J. Cabell.

"I do certify that Sergeant William Higginbotham enlisted with me for the war in December, 1778, in the Second Virginia Continental Regim^{t}. Given under my hand this 28th day of May, 1783.

(Signed) James Mabon, Capt"

A copy from the original
Test. J. Shackelford, C. B. A.

"I do hereby certify that William Higginbotham enlisted the 6th day of January, 1777, for three years as a soldier in my Comp^{y}

(Signed) Saml J. Cabell Lt. Col^{o}
4th Virg^{a} Reg^{t}

A copy
J. Shackelford, C. B. A.

Sir

Please deliver Col^{o} Wm. Cabell a certificate for my claim for land on the within certificate.

Col^{o} Meriweather William Higginbotham

War Dept. Bounty Land Office.
12 May, 1829.

The records of this office do not show that William Higginbotham of the Virg^{a} line ever received or is entitled to bounty land of the United States.

Robert Taylor.

We do certify that we knew William Higginbotham as a soldier and Lieutenant in the Revolutionary War with Great Britain; he entered into service in the year 1776, and we know he continued upwards of three years

and six months and we verily believe he continued until the end of the war in the Virginia Line on Continental Establishment.

Given under our hands this 19th day of June, 1811.

Edward Ware.
James Ware.
Caleb Higginbotham.

Georgia
Elbert County.

Personally appeared before me James Ware, Edward Ware and Caleb Higginbotham, and after being duly sworn saith the above certificate is just and true. And I hereby certify that they are men of fair character and that due faith and credit ought to be given their signatures.

Given under my hand this 19th day of June, 1811.

Edward Ware.
James Ware.
Caleb Higginbotham.

Charles Sorrell, J. P.

(Another certificate of Charles Sorrell, dated August 10, 1811, that the above are men of good character and that their statements are entilted to credit.)

(Certificate of David S. Booth, Clerk of the Superior Court, Elbert County, that Charles Sorrell is Justice of the Peace for Elbert Co., and that his statement is entitled to credit.)

"I do hereby certify that William Higginbotham enlisted in my Company of Riflemen attached to the 6th Virg^{a} Reg^{t} in the month of January, 1777, for the term of three years after which he re-enlisted for the War and was taken prisoner at Buford's defeat South or North Carolina in the month of May, 1780, and I do further certify that the s^{d} William Higginbotham acted as a Serjeant and that during his term of his active service which generally came under my observation he conducted himself as a good Citizen and brave Soldier. Given under my hand this 25th day of Feb^{y}, 1810.

Sam. J. Cabell, late Lt. Col.
Virg^{a} Line on Cont^{l} Establishment.

It appears that William Higginbotham has received a warrant from this office for 400 acres for his services as a Sergeant for the War.

Chas. Blagrove, Reg.

Land Office
28th Feby 1810.
William Higginbotham, Lieutenant, Continental Line.

He entered the service in 1776, and served as a soldier, sergeant and lieutenant, to the end of the war (See certificates of Edward Ware, James Ware, and Caleb Higginbotham, on file in the office of the executive department.) He was allowed land as sergeant for a service of six years and ten months, 455 acres, the warrant for which issued March 9, 1793, and February 28, 1810. (See Charles Blagrove's certificate in the office of the executive department.) He was allowed bounty land as lieutenant 7th November, 1811, when a warrant issued for 2,666 2/3 acres (I presume including for the land for which warrants had before issued for his services as sergeant.) His heirs entitled to additional bounty for his services as lieutenant, ten months over six years.

H. D. 1835-36, Doc. 6, 89.

(All the above from documents in the Va. State Library.)

The other children of *Benjamin and Elizabeth (Reid)* Higginbotham were:

Joseph, who married in 1788, Frances, daughter of Moses Higginbotham, Sr. (M. L. B. December 17, 1788.)

Benjamin, Jr., who married in 1782, Mary, daughter of Larkin Gatewood, of Amherst County, (M. L. B. December 1, 1782.)

Francis, who married in 1783, Dolly, daughter of Larkin Gatewood, of Amherst County, (M. L. B. December 1, 1783.)

The following deeds are of record in the name of *Benjamin Higginbotham, Sr.:*

April 30, 1751. Moses Higginbotham, of St. Ann's Parish, County of Albemarle, to Benjamin Higginbotham, of the same parish and county. Conveys 204 acres of land, "now in the possession of Benjamin Higginbotham," and located on the branches of Buffalo River, Albemarle County, being part of a tract of 1,430 acres conveyed to Moses Higginbotham by George Braxton, the younger, etc. Consideration 5 shillings. (Albemarle County Deed Book 1, p. 300.)

May 2, 1761. Benjamin Higginbotham to Richard Davis. Conveys 204 acres of land on Buffalo River, being a tract of 204 acres granted to Benjamin Higginbotham by Moses Higginbotham by a deed dated May 14, 1751, which was duly recorded in Albemarle Court. Consideration £60. (Amherst County Deed Book A, p. 20.)

Sept. 7, 1767. Benjamin Higginbotham, power of attorney for James Colbert Blair, to Alexander Baggs, of Augusta County. Conveys 160 acres of land on Pedlar River, Amherst County. Consideration £30. (Ibid., Deed Book B, p. 249.)

July 4, 1774. Benjamin Higginbotham to James Higginbotham. Conveys 75 acres of land on the north branches of the south fork of Buffalo River, granted by a Patent to Benjamin Higginbotham, dated July 14, 1769. Consideration £20. (Ibid., Deed Book D, p. 168.)

Dec. 4, 1775. Benjamin Higginbotham, and Elizabeth, his wife, to Caleb Higginbotham. Conveys 355 acres of land beginning at a white oak corner Braxton & Co's land, Amherst County. Consideration 5 shillings. (Ibid., Deed Book D, p. 328.)

The following deeds are in the name of *Caleb Higginbotham:*

Caleb Higginbotham and Mary Ann, his wife, to James Lively. Conveys 13 acres of land adjoining Lively's line, Amherst County. Consideration £5. (Ibid., Deed Book D, p. 336.)

July 6, 1778. Philip Smith to Caleb Higginbotham. Conveys 244 acres of land on both sides of Buffalo River, being the land which Philip Smith purchased of James Smith. Consideration £100. (Ibid., Deed Book E, p. 2.)

May 5, 1777. Caleb Higginbotham to Moses Penn. Conveys 342 acres of land on both sides of the south fork of Huff's Creek. Consideration £125. (Ibid., Deed Book D, p. 426.)

August 7, 1780. Caleb Higginbotham to William Higginbotham, both of the County of Amherst. Conveys 181 acres of land on Buffalo River, being part of a tract of 244 acres purchased by Caleb Higginbotham of Philip Smith. Consideration £20. (Signed.) Caleb Higginbotham, Mary Ann Higginbotham, wife. (Ibid., Deed Book E, p. 255.)

(To be continued)